

FILED
U.S. DISTRICT COURT
DISTRICT OF WYOMING
2017 MAR 15 PM 1:12
STEPHAN HARRIS, CLERK
CASPER

Page 2

PETITION UNDER 28 U.S.C. § 2254 FOR WRIT OF
HABEAS CORPUS BY A PERSON IN STATE CUSTODY

17-CV-45-S

United States District Court		District of Wyoming	
Name (under which you were convicted): <u>RICHARD McCLOSKEY</u>		Docket or Case No.: <u>5697, 5698</u>	
Place of Confinement: <u>PARK COUNTY DETENTION CENTER</u>		Prisoner No.: <u>81936</u>	
Petitioner (include the name under which you were convicted) <u>RICHARD JOSEPH McCLOSKEY</u>		Respondent (authorized person having custody of petitioner) v. The Attorney General of the State of WY	

PETITION

- Name and location of court that entered the judgment of conviction you are challenging:
DISTRICT COURT OF PARK COUNTY WYOMING
 - Criminal docket or case number (if you know): _____
- Date of the judgment of conviction (if you know): 2/4
 - Date of sentencing: _____
- Length of sentence: 5-7 YEARS
- In this case, were you convicted on more than one count or of more than one crime? ☒ Yes ☐ No
- Identify all crimes of which you were convicted and sentenced in this case: BURGLARY, BURGLARY, FORGERY,
- What was your plea? (Check one)

(1) Not guilty	<input checked="" type="checkbox"/>	(3) Nolo contendere (no contest)	<input type="checkbox"/>
(2) Guilty	<input type="checkbox"/>	(4) Insanity plea	<input type="checkbox"/>
 - If you entered a guilty plea to one count or charge and a not guilty plea to another count or charge, what did you plead guilty to and what did you plead not guilty to? _____
 - If you went to trial, what kind of trial did you have? (Check one)

<input type="checkbox"/> Jury	<input type="checkbox"/> Judge only
-------------------------------	-------------------------------------
- Did you testify at a pretrial hearing, trial, or a post-trial hearing? ☐ Yes ☐ No

Page 3

8. Did you appeal from the judgment of conviction? ☐ Yes ☒ No
9. If you did appeal, answer the following:
- (a) Name of court: _____
- (b) Docket or case number (if you know): _____
- (c) Result: _____
- (d) Date of result (if you know): _____
- (e) Citation to the case (if you know): _____
- (f) Grounds raised: _____
- (g) Did you file a petition for certiorari in the United States Supreme Court? ☐ Yes ☒ No
If yes, answer the following:
- (1) Docket or case number (if you know): _____
- (2) Result: _____
- (3) Date of result (if you know): _____
- (4) Citation to the case (if you know): _____
10. Other than the direct appeals listed above, have you previously filed any other petitions, applications, or motions concerning this judgment of conviction in any state court? ☐ Yes ☒ No
11. If your answer to Question 10 was "Yes," give the following information:
- (a) (1) Name of court: _____
(2) Docket or case number (if you know): _____
(3) Date of filing (if you know): _____
(4) Nature of the proceeding: _____
(5) Grounds raised: _____
(6) Did you receive a hearing where evidence was given on your petition, application, or motion? ☐ Yes ☐ No
(7) Result: _____
(8) Date of result (if you know): _____
- (b) If you filed any second petition, application, or motion, give the same information:
(1) Name of court: _____
(2) Docket or case number (if you know): _____
(3) Date of filing (if you know): _____
(4) Nature of the proceeding: _____
(5) Grounds raised: _____
(6) Did you receive a hearing where evidence was given on your petition, application, or motion? ☐ Yes ☐ No
(7) Result: _____
(8) Date of result (if you know): _____
- (c) Did you appeal to the highest state court having jurisdiction over the action taken on your petition, application, or motion?
- (1) First petition: ☐ Yes ☐ No
- (2) Second petition: ☐ Yes ☐ No
- (3) Third petition: ☐ Yes ☐ No

Page 4

(d) If you did not appeal to the highest state court having jurisdiction, explain why you did not: I
DO NOT KNOW THE PROCESS OR KNOWLEDGE OF
HOW TO DO THIS

12. For this petition, state every ground on which you claim that you are being held in violation of the Constitution, laws, or treaties of the United States. Attach additional pages if you have more than four grounds. State the facts supporting each ground.

CAUTION: To proceed in the federal court, you must ordinarily first exhaust (use up) your available state-court remedies on each ground on which you request action by the federal court. Also, if you fail to set forth all the grounds in this petition, you may be barred from presenting additional grounds at a later date.

Please go to Ground One

GROUND ONE: DUE PROCESS RIGHTS BEING VIOLATED, RIGHTS TO FAIR TRIAL

- (a) Supporting facts (Briefly summarize your claim. You may provide additional argument and legal citations in a separate supporting memorandum): I WAS OVERWHELMED WITH 15+ CHARGES THAT WERE BASED MAINLY ON SPECULATION AND HEAR SAY. I FABRICATED EVIDENCE. I WAS SO OVERWHELMED I FELT COERCED INTO TAKING MY FIRST PLEA OF A 5-7 ALSO THREATENED IF I DIDN'T THEY WOULD HIT ME AS A REPEAT OFFENDER AND GIVE ME 10 YEARS ALL MY CHARGES ARE DUE TO ADDICTION
- (b) If you did not exhaust your state remedies on Ground One, explain why: WAITING FOR SENTENCING I TOOK THE FIRST PLEA JUST WAITING
- (c) Direct Appeal of Ground One:
 (1) If you appealed from the judgment of conviction, did you raise this issue? ☐ Yes ☒ No
 (2) If you did not raise this issue in your direct appeal, explain why: N/A
- (d) Post-Conviction Proceedings:
 (1) Did you raise this issue through a post-conviction motion or petition for habeas corpus in a state trial court? ☐ Yes ☒ No
 (2) If your answer to Question (d)(1) is "Yes," state:
 Type of motion or petition: _____
 Name and location of the court where the motion or petition was filed: _____
 Docket or case number (if you know): _____
 Date of the court's decision: _____
 Result (attach a copy of the court's opinion or order, if available): _____
 (3) Did you receive a hearing on your motion or petition? ☐ Yes ☒ No
 (4) Did you appeal from the denial of your motion or petition? ☐ Yes ☒ No
 (5) If your answer to Question (d)(4) is "Yes," did you raise this issue in the appeal? ☐ Yes ☐ No
 (6) If your answer to Question (d)(4) is "Yes," state:
 Name and location of the court where the appeal was filed: _____
 Docket or case number (if you know): _____
 Date of the court's decision: _____
 Result (attach a copy of the court's opinion or order, if available): _____
 (7) If your answer to Question (d)(4) or Question (d)(5) is "No," explain why you did not raise this issue:
I DON'T KNOW WHAT THAT IS OR HOW TO DO
- (e) Other Remedies: Describe any other procedures (such as habeas corpus, administrative remedies, etc.) that you have used to exhaust your state remedies on Ground One: _____

GROUND TWO: ALL CHARGES LEAD TO DRUG CHARGES / Page 6

NEVER GOT HELP FROM THE STATE FOR TREATMENT
EVEN ASKED ABOUT ADDICTION OFFENDERS ACT

- (a) Supporting facts (Briefly summarize your claim. You may provide additional argument and legal citations in a separate supporting memorandum): I HAVE FILLED OUT APPLICATIONS
TO ALL TREATMENT CENTERS IN WYOMING SENT
PACKETS GOT MY ASI DONE ALL WHILE INCARCERATED
KEPT IN CONTACT WITH THEM ALL MY ASI RECOMMENDATION
WAS THE HIGHEST LEVEL OF INPATIENT TREATMENT
BUT STILL THE COURTS NEVER TOOK THIS INTO
CONSIDERATION WHAT I NEEDED IS REHABILITATION
BEFORE INCARCERATION

- (b) If you did not exhaust your state remedies on Ground Two, explain why: _____

- (c) Direct Appeal of Ground Two:

(1) If you appealed from the judgment of conviction, did you raise this issue? ☐ Yes ☐ No

(2) If you did not raise this issue in your direct appeal, explain why: _____

- (d) Post-Conviction Proceedings:

(1) Did you raise this issue through a post-conviction motion or petition for habeas corpus in a state trial court? ☐ Yes ☐ No

(2) If your answer to Question (d)(1) is "Yes," state:

Type of motion or petition: _____

Name and location of the court where the motion or petition was filed: _____

Docket or case number (if you know): _____

Date of the court's decision: _____

Result (attach a copy of the court's opinion or order, if available): _____

(3) Did you receive a hearing on your motion or petition? ☐ Yes ☐ No

(4) Did you appeal from the denial of your motion or petition? ☐ Yes ☐ No

(5) If your answer to Question (d)(4) is "Yes," did you raise this issue in the appeal? ☐ Yes ☐ No

(6) If your answer to Question (d)(4) is "Yes," state:

Name and location of the court where the appeal was filed: _____

Docket or case number (if you know): _____

Date of the court's decision: _____

Result (attach a copy of the court's opinion or order, if available): _____

(7) If your answer to Question (d)(4) or Question (d)(5) is "No," explain why you did not raise this issue: _____

- (e) Other Remedies: Describe any other procedures (such as habeas corpus, administrative remedies, etc.) that you have used to exhaust your state remedies on Ground Two: _____

GROUND THREE: ALL CHARGES WERE BOUND OVER TO DISTRICT
EVEN ONES GUILT BY SPECULATION WITHOUT
CONSIDERATION

- (a) Supporting facts (Briefly summarize your claim. You may provide additional argument and legal citations in a separate supporting memorandum): _____

- (b) If you did not exhaust your state remedies on Ground Three, explain why: _____

- (c) Direct Appeal of Ground Three:
 (1) If you appealed from the judgment of conviction, did you raise this issue? ☐ Yes ☐ No
 (2) If you did not raise this issue in your direct appeal, explain why: _____

- (d) Post-Conviction Proceedings:
 (1) Did you raise this issue through a post-conviction motion or petition for habeas corpus in a state trial court? ☐ Yes ☐ No
 (2) If your answer to Question (d)(1) is "Yes," state:
 Type of motion or petition: _____
 Name and location of the court where the motion or petition was filed: _____
 Docket or case number (if you know): _____
 Date of the court's decision: _____
 Result (attach a copy of the court's opinion or order, if available): _____
 (3) Did you receive a hearing on your motion or petition? ☐ Yes ☐ No
 (4) Did you appeal from the denial of your motion or petition? ☐ Yes ☐ No
 (5) If your answer to Question (d)(4) is "Yes," did you raise this issue in the appeal? ☐ Yes ☐ No
 (6) If your answer to Question (d)(4) is "Yes," state:
 Name and location of the court where the appeal was filed: _____
 Docket or case number (if you know): _____
 Date of the court's decision: _____
 Result (attach a copy of the court's opinion or order, if available): _____
 (7) If your answer to Question (d)(4) or Question (d)(5) is "No," explain why you did not raise this issue: _____
- (e) Other Remedies: Describe any other procedures (such as habeas corpus, administrative remedies, etc.) that you have used to exhaust your state remedies on Ground Three: _____

GROUND FOUR: _____

- (a) Supporting facts (Briefly summarize your claim. You may provide additional argument and legal citations in a separate supporting memorandum): _____

- (b) If you did not exhaust your state remedies on Ground Four, explain why: _____

- (c) Direct Appeal of Ground Four:

(1) If you appealed from the judgment of conviction, did you raise this issue? ☐ Yes ☐ No

(2) If you did not raise this issue in your direct appeal, explain why: _____

- (d) Post-Conviction Proceedings:

(1) Did you raise this issue through a post-conviction motion or petition for habeas corpus in a state trial court? ☐ Yes ☐ No

(2) If your answer to Question (d)(1) is "Yes," state:

Type of motion or petition: _____

Name and location of the court where the motion or petition was filed: _____

Docket or case number (if you know): _____

Date of the court's decision: _____

Result (attach a copy of the court's opinion or order, if available): _____

(3) Did you receive a hearing on your motion or petition? ☐ Yes ☐ No

(4) Did you appeal from the denial of your motion or petition? ☐ Yes ☐ No

(5) If your answer to Question (d)(4) is "Yes," did you raise this issue in the appeal? ☐ Yes ☐ No

(6) If your answer to Question (d)(4) is "Yes," state:

Name and location of the court where the appeal was filed: _____

Docket or case number (if you know): _____

Date of the court's decision: _____

Result (attach a copy of the court's opinion or order, if available): _____

(7) If your answer to Question (d)(4) or Question (d)(5) is "No," explain why you did not raise this issue: _____

- (e) Other Remedies: Describe any other procedures (such as habeas corpus, administrative remedies, etc.) that you have used to exhaust your state remedies on Ground Four: _____

Page 9

13. Please answer these additional questions about the petition you are filing:

(a) Have all grounds for relief that you have raised in this petition been presented to the highest state court having jurisdiction? ☐ Yes ☐ No

If your answer is "No," state which grounds have not been so presented and give your reason(s) for not presenting them: _____

(b) Is there any ground in this petition that has not been presented in some state or federal court? If so, which ground or grounds have not been presented, and state your reasons for not presenting them: _____

14. Have you previously filed any type of petition, application, or motion in a federal court regarding the conviction that you challenge in this petition? ☐ Yes ☒ No

If "Yes," state the name and location of the court, the docket or case number, the type of proceeding, the issues raised, the date of the court's decision, and the result for each petition, application, or motion filed. Attach a copy of any court opinion or order, if available. _____

15. Do you have any petition or appeal now pending (filed and not decided yet) in any court, either state or federal, for the judgment you are challenging? ☐ Yes ☒ No

If "Yes," state the name and location of the court, the docket or case number, the type of proceeding, and the issues raised. _____

16. Give the name and address, if you know, of each attorney who represented you in the following stages of the judgment you are challenging:

(a) At preliminary hearing: NICK BEDUHN CODY, WY 82414 P.O. Box 880
SENIOR ASSISTANT PUBLIC DEFENDER

(b) At arraignment and plea: NICK BEDUHN CODY, WY 82414 P.O. Box 880

(c) At trial: _____

(d) At sentencing: NICK BEDUHN CODY, WY 82414 P.O. Box 880

(e) On appeal: _____

(f) In any post-conviction proceeding: _____

(g) On appeal from any ruling against you in a post-conviction proceeding: _____

Page 10

17. Do you have any future sentence to serve after you complete the sentence for the judgment that you are challenging?

☐ Yes ☐ No

(a) If so, give name and location of court that imposed the other sentence you will serve in the future: _____

(b) Give the date the other sentence was imposed: _____

(c) Give the length of the other sentence: _____

(d) Have you filed, or do you plan to file, any motion, petition, or application that challenges the judgment or sentence to be served in the future?

☐ Yes ☐ No

Please go to Question 18

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There is no text or other markings on the paper.

(2) The time during which a properly filed application for State post-conviction or other collateral review with respect to the pertinent judgment or claim is pending shall not be counted toward any period of limitation under this subsection.

Therefore, petitioner asks that the Court grant the following relief: ^{Page 12}
JUSTICE ON MY BEHALF
FOR THINGS I DIDNT DO, JUSTICE FOR MY CASES, IMPUNITIVE
DAMAGES, COMPENSATION FOR JOB LOSS, IMPUNITIVE DAMAGES, IS SLANDER
or any other relief to which petitioner may be entitled. DEFEMATION OF CHARACTER

Signature of Attorney (if any)

I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. I further declare under penalty of perjury that this Petition for Writ of Habeas Corpus was placed in the institutional mailing system or deposited with prison officials on MARCH 12th, 2017 (month, day, year).
I attest that first-class postage has been prepaid.

Executed (signed) on 3/12/17 (date).



Signature of Petitioner

If the person signing is not petitioner, state relationship to petitioner and explain why petitioner is not signing this petition. _____

3/12/17

~~FILED~~
U.S. DISTRICT COURT
DISTRICT OF WYOMING

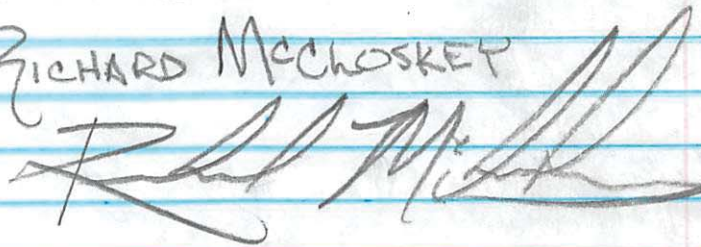
2017 MAR 15 PM 1:12
I AM SENDING
STEPHAN HARRIS, CLERK
CASPER

TO WHOM IT MAY CONCERN-

MY NAME IS RICHARD JOSEPH MCCLOSKEY. A PACKET THAT I FILLED OUT TO THE BEST OF MY KNOWLEDGE, ENCLOSED WITH THIS PACKET I SENT A PAPER CONFIRMING MY INMATE ACCOUNT BALANCE AS INCIDENT IN PLACE OF THE CERTIFICATE OF PENAL INSTITUTION DO TO THEM NOT PROPERLY FILLING THEM OUT AND SHREDDING THEM WITHOUT RETURNING THEM. ENCLOSED ALSO IS A FEW PAPERS REGARDING SOME CASES I TALKED ABOUT. I GIVE THIS COURT AUTHORIZATION TO DIG OR REFER TO ANY LEGAL MATTERS REGARDING ME RICHARD JOSEPH MCCLOSKEY DATED THIS DAY THE 12TH OF MARCH 2017. I WOULD ALSO LIKE SOME CIVIL RIGHTS PACKETS OR PETITIONS DO TO SOME INCIDENTS THAT HAVE GONE ON IN PARK COUNTY DETENTION CENTER WHILE INCARCERATED
THANK YOU FOR YOUR TIME

Much Respect.

RICHARD MCCLOSKEY



vs.

RICHARD JOSEPH McCLOSKEY,
Defendant.

WARRANT

TO ANY SHERIFF IN THE STATE OF WYOMING, GREETINGS:

WHEREAS, Affidavit having been made before me, on oath, that the above-named Defendant:

Count I: On or between August 26, 2016 and September 9, 2016, in Park County, Wyoming, did unlawfully use a credit card with the intent to obtain property or services by fraud, to wit, used a credit card, or the number or description of a credit card, issued to another person without the consent of that person, and the value of the property or services obtained in violation of this section within a sixty day period in the state of Wyoming totals one thousand dollars (\$1,000.00) or more, in violation of Wyoming Statute § 6-3-802(a)(i)(b)(iii), a felony, punishable by imprisonment for not more than ten (10) years, a fine of not more than ten thousand dollars (\$10,000.00), or both;

Count II: On or about August 26, 2016, in Park County, Wyoming, with intent to defraud, did make, complete, execute, authenticate, issue or transfer a writing so that it purports to be the act of another who did not authorized that act, to wit: signed Keith Grant's name to a transaction receipt for QT's Restaurant for twelve dollars and thirty-eight cents (\$12.38), in violation of Wyoming Statute § 6-3-602(a)(ii)(b), punishable by imprisonment for not more than ten (10) years, a fine of not more than ten thousand dollars (\$10,000.00), or both;

Count III: On or about August 26, 2016, in Park County, Wyoming, with intent to defraud, did make, complete, execute, authenticate, issue or transfer a writing so that it purports to be the act of another who did not authorized that act, to wit: signed Keith Grant's name to a transaction receipt for QT's Restaurant for ninety-four dollars and twenty-five cents (\$94.25), in violation of Wyoming Statute § 6-3-602(a)(ii)(b), punishable by imprisonment for not more than ten (10) years, a fine of not more than ten thousand dollars (\$10,000.00), or both, contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Wyoming.

TURNER

Case 1:17-cr-00045-SWS Document 1 Filed 06/15/17 Page 45 of 53
purports to be the act of another who did not authorize that act, to wit: signed Keith Grant's name to a transaction receipt for Smoker Friendly for fifty-eight dollars and forty-three cents (\$58.43), in violation of Wyoming Statute § 6-3-602(a)(ii)(b), punishable by imprisonment for not more than ten (10) years, a fine of not more than ten thousand dollars (\$10,000.00), or both, contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Wyoming.

Count V: On or about August 27, 2016, in Park County, Wyoming, with intent to defraud, did make, complete, execute, authenticate, issue or transfer a writing so that it purports to be the act of another who did not authorize that act, to wit: signed Keith Grant's name to a transaction receipt for Rocky Mountain Discount Sports for ninety-eight dollars and seventy-eight cents (\$98.78), in violation of Wyoming Statute § 6-3-602(a)(ii)(b), punishable by imprisonment for not more than ten (10) years, a fine of not more than ten thousand dollars (\$10,000.00), or both, contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Wyoming.

Count VI: On or about August 29, 2016, in Park County, Wyoming, with intent to defraud, did make, complete, execute, authenticate, issue or transfer a writing so that it purports to be the act of another who did not authorize that act, to wit: signed Keith Grant's name to a transaction receipt for Domino's Pizza for sixty dollars and twenty-six cents (\$60.26), in violation of Wyoming Statute § 6-3-602(a)(ii)(b), punishable by imprisonment for not more than ten (10) years, a fine of not more than ten thousand dollars (\$10,000.00), or both, contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Wyoming.

Count VII: On or about August 30, 2016, in Park County, Wyoming, with intent to defraud, did make, complete, execute, authenticate, issue or transfer a writing so that it purports to be the act of another who did not authorize that act, to wit: signed Keith Grant's name to a transaction receipt for Good to Go for eighty dollars and fifty cents (\$80.50), in violation of Wyoming Statute § 6-3-602(a)(ii)(b), punishable by imprisonment for not more than ten (10) years, a fine of not more than ten thousand dollars (\$10,000.00), or both, contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Wyoming.

Count VIII: On or about August 30, 2016, in Park County, Wyoming, with intent to defraud, did make, complete, execute, authenticate, issue or transfer a writing so that it purports to be the act of another who did not authorize that act, to wit: signed Keith Grant's name to a transaction receipt for Linton's Big R for one hundred ninety dollars and twenty-

violation of Wyoming Statute § 6-3-602(a)(ii)(b), punishable by imprisonment for not more than ten (10) years, a fine of not more than ten thousand dollars (\$10,000.00), or both;

Count XI: On or about September 2, 2016, in Park County, Wyoming, with intent to defraud, did make, complete, execute, authenticate, issue or transfer a writing so that it purports to be the act of another who did not authorized that act, to wit: signed Keith Grant's name to a transaction receipt for Shopko for one hundred two dollars and ninety-five cents (\$102.95), in violation of Wyoming Statute § 6-3-602(a)(ii)(b), punishable by imprisonment for not more than ten (10) years, a fine of not more than ten thousand dollars (\$10,000.00), or both:

Count XII: On or about September 2, 2016, in Park County, Wyoming, with intent to defraud, did make, complete, execute, authenticate, issue or transfer a writing so that it purports to be the act of another who did not authorized that act, to wit: signed Keith Grant's name to a transaction receipt for Maverick for fifty-eight dollars and five cents (\$58.05), in violation of Wyoming Statute § 6-3-602(a)(ii)(b), punishable by imprisonment for not more than ten (10) years, a fine of not more than ten thousand dollars (\$10,000.00), or both;

Count XIII: On or about September 8, 2016, in Park County, Wyoming, with intent to defraud, did make, complete, execute, authenticate, issue or transfer a writing so that it purports to be the act of another who did not authorized that act, to wit: signed Keith Grant's name to a transaction receipt for Shopko for ninety-seven dollars and sixty-two cents (\$97.62), in violation of Wyoming Statute § 6-3-602(a)(ii)(b), punishable by imprisonment for not more than ten (10) years, a fine of not more than ten thousand dollars (\$10,000.00), or both.

NOW, THEREFORE, in the name of the State of Wyoming, you are hereby commanded forthwith to apprehend and arrest the above-named defendant and bring the defendant before the Court to be dealt with according to law.

DATE: 062616 13, 2016.




HONORABLE BRUCE B. WATERS
Circuit Court Judge

DOB:	03/19/1988
SSN:	358-84-1762
LKA:	Park County Detention Center

Count V: On or about August 27, 2016, in Park County, Wyoming, with intent to defraud, did make, complete, execute, authenticate, issue or transfer a writing so that it purports to be the act of another who did not authorized that act, to wit: signed Keith Grant's name to a transaction receipt for Rocky Mountain Discount Sports for ninety-eight dollars and seventy-eight cents (\$98.78), in violation of Wyoming Statute § 6-3-602(a)(ii)(b), punishable by imprisonment for not more than ten (10) years, a fine of not more than ten thousand dollars (\$10,000.00), or both;

Count VI: On or about August 29, 2016, in Park County, Wyoming, with intent to defraud, did make, complete, execute, authenticate, issue or transfer a writing so that it purports to be the act of another who did not authorized that act, to wit: signed Keith Grant's name to a transaction receipt for Domino's Pizza for sixty dollars and twenty-26 cents (\$60.26), in violation of Wyoming Statute § 6-3-602(a)(ii)(b), punishable by imprisonment for not more than ten (10) years, a fine of not more than ten thousand dollars (\$10,000.00), or both;

Count VII: On or about August 30, 2016, in Park County, Wyoming, with intent to defraud, did make, complete, execute, authenticate, issue or transfer a writing so that it purports to be the act of another who did not authorized that act, to wit: signed Keith Grant's name to a transaction receipt for Good to Go for eighty dollars and fifty cents (\$80.50), in violation of Wyoming Statute § 6-3-602(a)(ii)(b), punishable by imprisonment for not more than ten (10) years, a fine of not more than ten thousand dollars (\$10,000.00), or both;

Count VIII: On or about August 30, 2016, in Park County, Wyoming, with intent to defraud, did make, complete, execute, authenticate, issue or transfer a writing so that it purports to be the act of another who did not authorized that act, to wit: signed Keith Grant's name to a transaction receipt for Linton's Big R for one hundred ninety dollars and twenty-five cents (\$190.25), in violation of Wyoming Statute § 6-3-602(a)(ii)(b), punishable by imprisonment for not more than ten (10) years, a fine of not more than ten thousand dollars (\$10,000.00), or both;

Count IX: On or about August 31, 2016, in Park County, Wyoming, with intent to defraud, did make, complete, execute, authenticate, issue or transfer a writing so that it purports to be the act of another who did not authorized that act, to wit: signed Keith Grant's name to a transaction receipt for Mountain West Computer for forty-three dollars and sixty-seven cents (\$43.67), in violation of Wyoming Statute § 6-3-602(a)(ii)(b), punishable by imprisonment for not more than ten (10) years, a fine of not more than ten thousand dollars

LONG

WILLIAM

WILLIAM

vs.

RICHARD J. MCCLOSKEY,
Defendant.

WARRANT

TO ANY SHERIFF IN THE STATE OF WYOMING, GREETINGS:

WHEREAS, Affidavit having been made before me, on oath, that the above-named Defendant:

COUNT I: On or about June 16, 2016, in Park County, Wyoming, did with the intent to obtain property or services by fraud, use a credit card, or the number or description of a credit card, issued to another person without the consent of that person, the value of the property or services purchased or obtained being less than one thousand dollars (\$1,000.00), to wit: purchase in the amount of Thirty Dollars (\$30.00) at ExxonMobil, in Cody, Wyoming, in violation of Wyoming Statute §6-3-802(a)(i)(b)(i), a misdemeanor punishable by imprisonment for not more than six (6) months, a fine of not more than Seven Hundred Fifty Dollars (\$750.00), or both.

COUNT II: On or about June 17, 2016, in Park County, Wyoming, did with the intent to obtain property or services by fraud, use a credit card, or the number or description of a credit card, issued to another person without the consent of that person, the value of the property or services purchased or obtained being less than one thousand dollars (\$1,000.00), to wit: purchase in the amount of Sixteen Dollars and Twelve Cents (\$16.12) at Maverik #346, in Powell, Wyoming, in violation of Wyoming Statute §6-3-802(a)(i)(b)(i), a misdemeanor punishable by imprisonment for not more than six (6) months, a fine of not more than Seven Hundred Fifty Dollars (\$750.00), or both.

COUNT III: On or about June 17, 2016, in Park County, Wyoming, did with the intent to obtain property or services by fraud, use a credit card, or the number or description of a credit card, issued to another person without the consent of that person,

COUNT IV: On or about June 18, 2016, in Park County, Wyoming, did with the intent to obtain property or services by fraud, use a credit card, or the number or description of a credit card, issued to another person without the consent of that person, the value of the property or services purchased or obtained being less than one thousand dollars (\$1,000.00), to wit: purchase in the amount of Fifty-Two Dollars and Twenty Cents (\$52.20) at Blair's Market, in Powell, Wyoming, in violation of Wyoming Statute §6-3-802(a)(i)(b)(i), a misdemeanor punishable by imprisonment for not more than six (6) months, a fine of not more than Seven Hundred Fifty Dollars (\$750.00), or both.

COUNT V: On or about June 18, 2016, in Park County, Wyoming, did with the intent to obtain property or services by fraud, use a credit card, or the number or description of a credit card, issued to another person without the consent of that person, the value of the property or services purchased or obtained being less than one thousand dollars (\$1,000.00), to wit: purchase in the amount of Twelve Dollars and Seven Cents (\$12.07) at ExxonMobil, in Ralston, Wyoming, in violation of Wyoming Statute §6-3-802(a)(i)(b)(i), a misdemeanor punishable by imprisonment for not more than six (6) months, a fine of not more than Seven Hundred Fifty Dollars (\$750.00), or both.

COUNT VI: On or about June 18, 2016, in Park County, Wyoming, did with the intent to obtain property or services by fraud, use a credit card, or the number or description of a credit card, issued to another person without the consent of that person, the value of the property or services purchased or obtained being less than one thousand dollars (\$1,000.00), to wit: purchase in the amount of Four Hundred Sixty-Six Dollars and Eight Cents (\$466.08) at Sunlight Sports, in Cody, Wyoming, in violation of Wyoming Statute §6-3-802(a)(i)(b)(i), a misdemeanor punishable by imprisonment for not more than six (6) months, a fine of not more than Seven Hundred Fifty Dollars (\$750.00), or both.

COUNT VII: On or about June 18, 2016, in Park County, Wyoming, did with the intent to obtain property or services by fraud, use a credit card, or the number or description of a credit card, issued to another person without the consent of that person, the value of the property or services purchased or obtained being less than one thousand

intent to obtain property or services by fraud, use a credit card, or the number or description of a credit card, issued to another person without the consent of that person, the value of the property or services purchased or obtained being less than one thousand dollars (\$1,000.00), to wit: purchase in the amount of Five Dollars and Three Cents (\$5.03) at ExxonMobil, in Cody, Wyoming, in violation of Wyoming Statute §6-3-802(a)(i)(b)(i), a misdemeanor punishable by imprisonment for not more than six (6) months, a fine of not more than Seven Hundred Fifty Dollars (\$750.00), or both, contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Wyoming.

COUNT IV: On or about June 18, 2016, in Park County, Wyoming, did with the intent to obtain property or services by fraud, use a credit card, or the number or description of a credit card, issued to another person without the consent of that person, the value of the property or services purchased or obtained being less than one thousand dollars (\$1,000.00), to wit: purchase in the amount of Fifty-Two Dollars and Twenty Cents (\$52.20) at Blair's Market, in Powell, Wyoming, in violation of Wyoming Statute §6-3-802(a)(i)(b)(i), a misdemeanor punishable by imprisonment for not more than six (6) months, a fine of not more than Seven Hundred Fifty Dollars (\$750.00), or both, contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Wyoming.

COUNT V: On or about June 18, 2016, in Park County, Wyoming, did with the intent to obtain property or services by fraud, use a credit card, or the number or description of a credit card, issued to another person without the consent of that person, the value of the property or services purchased or obtained being less than one thousand dollars (\$1,000.00), to wit: purchase in the amount of Twelve Dollars and Seven Cents (\$12.07) at ExxonMobil, in Ralston, Wyoming, in violation of Wyoming Statute §6-3-802(a)(i)(b)(i), a misdemeanor punishable by imprisonment for not more than six (6) months, a fine of not more than Seven Hundred Fifty Dollars (\$750.00), or both, contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Wyoming.

COUNT VI: On or about June 18, 2016, in Park County, Wyoming, did with the

dollars (\$1,000.00), to wit: purchase in the amount of Four Hundred Sixty-Six Dollars and Eight Cents (\$466.08) at Sunlight Sports, in Cody, Wyoming, in violation of Wyoming Statute §6-3-802(a)(i)(b)(i), a misdemeanor punishable by imprisonment for not more than six (6) months, a fine of not more than Seven Hundred Fifty Dollars (\$750.00), or both, contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Wyoming.

COUNT VII: On or about June 18, 2016, in Park County, Wyoming, did with the intent to obtain property or services by fraud, use a credit card, or the number or description of a credit card, issued to another person without the consent of that person, the value of the property or services purchased or obtained being less than one thousand dollars (\$1,000.00), to wit: purchase in the amount of Fourteen Dollars and Fifty-Five Cents (\$14.55) at K-Mart, in Cody, Wyoming, in violation of Wyoming Statute §6-3-802(a)(i)(b)(i), a misdemeanor punishable by imprisonment for not more than six (6) months, a fine of not more than Seven Hundred Fifty Dollars (\$750.00), or both, contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Wyoming.

FOR PROBABLE CAUSE: See the Affidavit of Brett Lara, Investigator with the Powell Police Department, attached hereto and incorporated herein by this reference.

WHEREFORE, the undersigned prays that a warrant issue for the arrest of the above-named Defendant.

DATED: October 4, 2016.

STATE OF WYOMING



Timothy J. Blatt, WSB #6-3517

Deputy Park County and Prosecuting Attorney

Brooke Conners at Rodeo West. Detective Parduba advised her of his investigation and the purchase made at the store on June 16, 2016. She informed Detective Parduba the purchase was for gas and that there are no security cameras that would show the suspect.

On Thursday, July 7, 2016, at approximately 1:36 p.m., Detective Parduba spoke with Morgan Simmons from Good 2 Go. She informed Detective Parduba that the purchase was made at the gas pumps. However, the security camera footage had already been taped over; that the cameras copy over previous footage every fourteen days. She did provide Detective Parduba with a copy of the receipt for the purchase.

On Friday, July 8, 2016, at approximately 10:50 a.m., Detective Parduba met with K Mart Store Manager, Nicole Cannon, at K Mart. She gave Detective Parduba a copy of the print out for the purchase made. She said it was for a bottle of Coleman fuel. She said the purchaser checked out through the garden area.

On Thursday, July 7, 2016, Detective Parduba contacted me in regards to this case and the purchase made in Powell. According to Detective Parduba, 2 suspects, possibly females, entered the store on Saturday, June 18, 2016, at approximately 9:03 p.m. and purchased some items using a stolen credit card. The amount charged on the card was \$52.20. The stolen Toys R Us credit card, bearing number 5243-6310-1674-8574, was taken from Jeremy Fabricius, who resides in Cody, Wyoming. The authorization number for the transaction was 01752Z. I stopped by Blair's and left a message for Kyle Foulger, Assistant Manager, to try and find any surveillance footage of the suspects.

On Friday, July 8, 2016, Detective Parduba spoke with J. Fabricius. J. Fabricius informed Detective Parduba that he does have a security system in the house but that he does not have it armed. He did tell Detective Parduba that he has a keypad type lock on the front door of his residence. He said that while he was away on vacation, his three step daughters, Shannon Yates, Thai Hilliard and Lindsay Voss, had access to his house and used the keypad lock to gain access. Each one has their own individual code. He said he could supply me with a history list that had times and dates of when the keypad was used. Detective Parduba asked that he email it to me. He assured me that he doesn't believe any of his step daughters are involved in the theft.

Parduba asked if there would be any security camera footage of this transaction. Cannon informed Detective Parduba that their security cameras have been down since May. There would be no footage available. Detective Parduba asked if she could check records for the purchase. She said she would and get back to him.

On Thursday, July 7, 2016, at approximately 9:32 a.m., Detective Parduba met with Good 2 Go Store Manager, Morgan Simmons. Detective Parduba informed her of the purchase made at a Good 2 Go store, on June 17, 2016. She advised Detective Parduba she would need to know which one of the three stores the purchase was made at. Detective Parduba advised her that he would try and get the store number for her. Simmons called the Good 2 Go in Ralston for Detective Parduba, in regards to a purchase made at that store on June 18, 2016. She spoke with Thea LNU and was advised that store does not have security cameras.

On Thursday, July 7, 2016, at approximately 10:20 a.m., Detective Parduba spoke with Sunlight Sports Store Office Manager, Amber Bryant, via phone. Detective Parduba informed her of the purchase made at her store on June 18, 2016 and asked if there are security cameras in the store. She advised Detective Parduba there are none. She did say she might have an electronic capture of the purchaser's signature. Detective Parduba asked if she could send me a copy of that. She said she would email it to him.

On Thursday, July 7, 2016, at approximately 10:29 a.m., Detective Parduba received an email from Bryant. Attached was a copy of the signature for the suspect. It is sloppy but looks like they tried to sign it as Jeremy Fabricius.

On Thursday, July 7, 2016, at approximately 10:55 a.m., Detective Parduba spoke with Sycony Bank, the bank for the credit card. Detective Parduba spoke with Yvette LNU in their fraud department. Detective Parduba advised her of this investigation and requested her assistance in finding out which gas stations in Cody the purchases were made at since the addresses and names are not listed on the credit card statement. Yvette was able to tell Detective Parduba that the purchase at the Good 2 Go on June 17, 2016, was at store number 4, which is

Count IX: On or about August 31, 2016, in Park County, Wyoming, with intent to defraud, did make, complete, execute, authenticate, issue or transfer a writing so that it purports to be the act of another who did not authorized that act, to wit: signed Keith Grant's name to a transaction receipt for Mountain West Computer for forty-three dollars and sixty-seven cents (\$43.67), in violation of Wyoming Statute § 6-3-602(a)(ii)(b), punishable by imprisonment for not more than ten (10) years, a fine of not more than ten thousand dollars (\$10,000.00), or both, contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Wyoming.

Count X: On or about September 2, 2016, in Park County, Wyoming, with intent to defraud, did make, complete, execute, authenticate, issue or transfer a writing so that it purports to be the act of another who did not authorized that act, to wit: signed Keith Grant's name to a transaction receipt for Pit Stop #12 for five dollars and eight cents (\$5.08), in violation of Wyoming Statute § 6-3-602(a)(ii)(b), punishable by imprisonment for not more than ten (10) years, a fine of not more than ten thousand dollars (\$10,000.00), or both, contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Wyoming.

Count XI: On or about September 2, 2016, in Park County, Wyoming, with intent to defraud, did make, complete, execute, authenticate, issue or transfer a writing so that it purports to be the act of another who did not authorized that act, to wit: signed Keith Grant's name to a transaction receipt for Shopko for one hundred two dollars and ninety-five cents (\$102.95), in violation of Wyoming Statute § 6-3-602(a)(ii)(b), punishable by imprisonment for not more than ten (10) years, a fine of not more than ten thousand dollars (\$10,000.00), or both, contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Wyoming.

Count XII: On or about September 2, 2016, in Park County, Wyoming, with intent to defraud, did make, complete, execute, authenticate, issue or transfer a writing so that it purports to be the act of another who did not authorized that act, to wit: signed Keith Grant's name to a transaction receipt for Maverick for fifty-eight dollars and five cents (\$58.05), in violation of Wyoming Statute § 6-3-602(a)(ii)(b), punishable by imprisonment for not more than ten (10) years, a fine of not more than ten thousand dollars (\$10,000.00), or both, contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Wyoming.

Count XIII: On or about September 8, 2016, in Park County, Wyoming, with intent to defraud, did make, complete, execute, authenticate, issue or transfer a writing so that it

J. Fabricius showed Officer Harris a partial printout of his credit card statement that indicated there was \$596.05 in charges on the card. However, he believed there were a few more transactions on the account that he did not print out. The following is a list of some of the allegedly fraudulent transactions made on the card:

-	6/16	ExxonMobil	Cody	\$30.00
-	6/17	Maverik #346	Powell	\$16.12
-	6/17	ExxonMobil	Cody	\$5.03
-	6/18	Blairs Market	Powell	\$52.20
-	6/18	Exxonmobil	Ralston	\$12.07
-	6/18	Sunlight Sports	Cody	\$466.08
-	6/18	Kmart	Cody	\$14.55

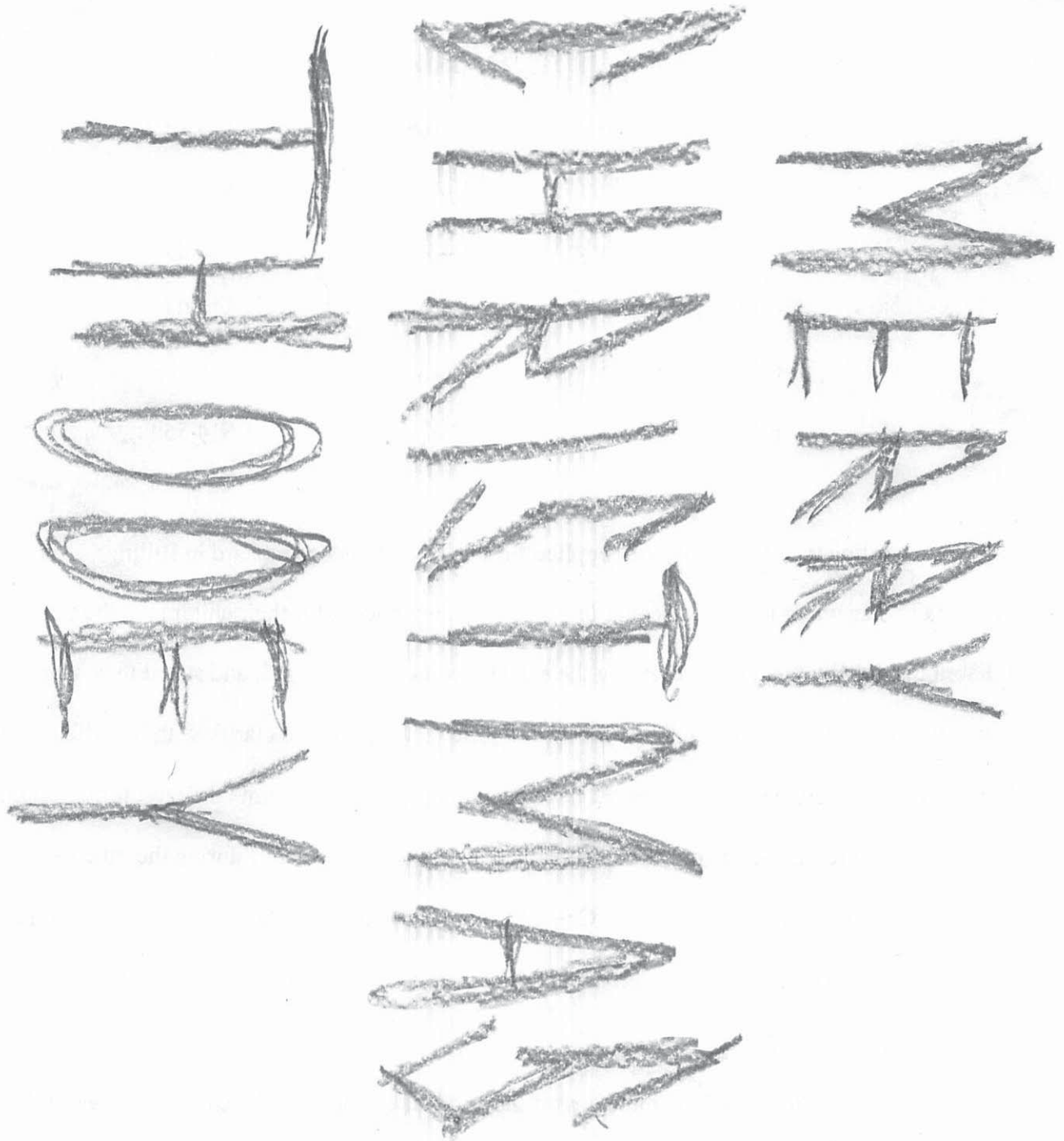
According to J. Fabricius, they applied for the Toys R Us Credit Card in Billings, Montana in December to get a discount on some toys they bought for their children at the time. J. Fabricius did not recall ever receiving the actual credit card in the mail and stated they have never used the card since they applied for it. J. Fabricius was going to clarify with his wife if she had received the card and where it might have been in the house at the time they left for vacation.

J. Fabricius stated the only people that had access to the residence during the time they were gone was his step-daughters, Thai Coe, Shannon Yates, and Lindsay Voss. The girls were asked to check on the house while Jeremy and Imy were away and they were there multiple times during that time period.

J. Fabricius had asked the three girls if they had taken and used the card. All three told him they had not.

J. Fabricius also indicated he had an alarm system on the residence, but depending on the circumstances, it may or may not have been armed.

J. Fabricius indicated there were lots of other valuable items in the house that were



Plaintiff,

vs.

RICHARD JOSEPH McCLOSKEY,*Defendant.*

WARRANT

TO ANY SHERIFF IN THE STATE OF WYOMING, GREETING:

WHEREAS, the State of Wyoming has filed herein a Motion for Warrant, wherein the State requests that a Warrant issue for the arrest of the Defendant on the underlying charges herein, and the Court having reviewed the same and finding good cause to issue the same;

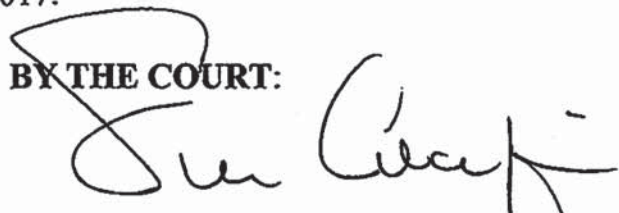
Count I: Unlawful use of a credit card with the intent to obtain property or services by fraud, to wit; used a credit card, or the number or description of a credit card, issued to another person without the consent of that person, and the value of the property or services obtained in violation of this section within a sixty day period in the state of Wyoming totals One Thousand Dollars (\$1,000.00) or more, in violation of Wyoming Statute §6-3-802(a)(i)(b)(iii), a felony;

Count II: With intent to defraud, did make, complete, execute, authenticate, issue or transfer a writing so that it purports to be the act of another who did not authorize that act, to wit: signed Keith Grant's name to a transaction receipt for QT's Restaurant for Twelve Dollars and Thirty-Eight cents (\$12.38), in violation of Wyoming Statute §6-3-602(a)(ii)(b), a felony.

YOU ARE, THEREFORE, HEREBY COMMANDED forthwith to arrest the above-named Defendant and bring the Defendant before the Court for further proceedings.

DATED February 10th, 2017.

BY THE COURT:



HONORABLE STEVEN CRANFILL
District Court Judge

RETURN

STATE OF WYOMING

COUNTY OF PARK

I hereby certify that I received the above Warrant filed in the above matter, that I served the same in Park County on _____ by delivering copies of both to _____ at _____.

SHERIFF

BY:

DEPUTY

STATE OF WYOMING

Plaintiff,

Criminal Docket No. 5698

vs.

RICHARD J. MCCLOSKEY,

Defendant.

REQUEST PRETRIAL CONFERENCE AND JURY TRIAL SETTING

COMES NOW the State of Wyoming, by and through Timothy J. Blatt, Deputy Park County and Prosecuting Attorney, and hereby requests the Court for an Order Setting Date and Time for Pretrial Conference and Jury Trial.

DATED: November 8 2016.

STATE OF WYOMING:

BY:

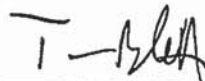


Timothy J. Blatt, WSB #6-3517

Deputy Park County and Prosecuting Attorney

CERTIFICATE OF SERVICE

I hereby certify that I served a true and correct copy of the foregoing Request upon the attorney for the Defendant, Nick Beduhn, by placing a copy of the same in U.S. mail, postage prepaid, addressed to Nick Beduhn, P.O. Box 880, Cody, Wyoming 82414, on November 8, 2016.



Timothy J. Blatt

Plaintiff,

vs.

RICHARD J. MCCLOSKEY,
Defendant.

STATE'S DEMAND FOR RECIPROCAL DISCOVERY

COMES NOW the State of Wyoming, by and through Timothy J. Blatt, Deputy Park County and Prosecuting Attorney, and hereby makes demand upon the Defendant for the disclosure of evidence pursuant to Rule 16(b) and Rule 26.2 of the Wyoming Rules of Criminal Procedure.

DATED November 8, 2016.

STATE OF WYOMING

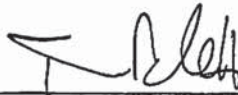
BY:



Timothy J. Blatt, WSB #6-3517
Deputy Park County and Prosecuting Attorney

CERTIFICATE OF SERVICE

I hereby certify that I served a true and correct copy of the foregoing Request for Reciprocal Discovery upon the attorney for the Defendant, Nick Beduhn, by placing a copy of the same in U.S. mail, postage prepaid, addressed to Nick Beduhn, P.O. Box 880, Cody, Wyoming 82414, on November 8, 2016.



Timothy J. Blatt

STATE OF WYOMING

Plaintiff,

vs.

RICHARD JOSEPH McCLOSKEY,

Defendant.

Criminal Case No. 5697

ORDER SETTING ARRAIGNMENT HEARING

THIS MATTER came before the Court upon the State's Request for Arraignment Hearing; and the Court being fully advised in the premises;

IT IS HEREBY ORDERED that an Arraignment Hearing be scheduled for Dec 2, 2016, at 3:00 o'clock P.M., in District Court, Fifth Judicial District, Park County Courthouse, Cody, Wyoming.

DATED: ^{Dec.}~~October~~ 1, 2016.

BY THE COURT:



HONORABLE STEVEN CRANFILL
District Court Judge

Branden S. Vilos H
Nick Beduhn F
Deb Carroll H
Jail F

PARENTAL SIGNATURE _____

STATE OF WYOMING,

DOCKET NO. CR-2016-98 POW

Plaintiff,

-VS-

ARRAIGNMENT & SENTENCING ORDER

RICHARD J. McCLOSKEY

CHANGE OF PLEA

Defendant.

Charge I: 6-3-303 a --- Criminal trespass Citation No. 97648H

II: 6-3-201 a(bi) --- Property destruction less than \$1000 97649H

Advised of charges and penalty Advised of constitutional rights

Attorney: Waived Retained Appointed Name: N. McCloskey

Plea: GUILTY Finding: GUILTY

NOT GUILTY NOT GUILTY

NO CONTEST DISMISSED 1502 173017

Bond set at \$

Conditions of the bond:

The above case has been set for:

Preliminary Hearing day of , 20 , at A.M., P.M.

Pre-Trial Conference day of , 20 , at A.M., P.M.

Jury Trial day of , 20 , at A.M., P.M.

Trial to Court day of , 20 , at A.M., P.M.

 day of , 20 , at A.M., P.M.

SENTENCE

Fine \$ Public Def Fees \$ UNPAID 17

Costs \$ Amount Suspended \$

Victim Surcharge \$ TOTAL \$

Jail Time Time Suspended

Probation Unsupervised / Supervised

Restitution \$ 20 (1) PO (11) February 9/15

Stay of Execution to day of , 20 .

Conditions of suspension of fine / jail

DONE this 6 day of February, 20 17.

COUNTY ATTORNEY

JUDGE

DEFENSE ATTORNEY

DEFENDANT

PARENTAL SIGNATURE

STATE OF WYOMING,

DOCKET NO. CR-2016-153 POW

Plaintiff,

-vs-

ARRAIGNMENT & SENTENCING ORDER

RICHARD J. McCLOSKEY

CHANGE OF PLEA

Defendant.

Charge I-VII: 6-3-802 ai(bi) --- Use another's credit card Citation No. _____
less than \$1000

Advised of charges and penalty _____ Advised of constitutional rights _____

Attorney: Waived _____ Retained _____ Appointed _____ Name: W. B. B. B.

Plea: GUILTY _____ Finding: GUILTY _____
NOT GUILTY _____ NOT GUILTY _____
NO CONTEST _____ DISMISSED PEA

Bond set at \$ _____

Conditions of the bond: _____

The above case has been set for:

Preliminary Hearing _____ day of _____, 20____, at _____ A.M., P.M.
Pre-Trial Conference _____ day of _____, 20____, at _____ A.M., P.M.
Jury Trial _____ day of _____, 20____, at _____ A.M., P.M.
Trial to Court _____ day of _____, 20____, at _____ A.M., P.M.
_____ day of _____, 20____, at _____ A.M., P.M.

SENTENCE

Fine \$ _____ Public Def Fees \$ UNPAID TO PD
Costs \$ _____ Amount Suspended \$ _____
Victim Surcharge \$ _____ TOTAL \$ _____

Jail Time _____ Time Suspended _____
Probation _____ Unsupervised / Supervised _____

Restitution \$ _____

Stay of Execution to _____ day of _____, 20____.

Conditions of suspension of fine / jail _____

DONE this 6 day of February, 20 17.

T. B. B.
COUNTY ATTORNEY

X
JUDGE

10/10/17
DEFENSE ATTORNEY

Richard J. McCloskey
DEFENDANT

PARENTAL SIGNATURE

STATE OF WYOMING,

DOCKET NO. CR-2016-165 POW

Plaintiff,

-VS-

ARRAIGNMENT & SENTENCING ORDER

RICHARD J. McCLOSKEY

CHANGE OF PLEA

Defendant.

Charge 6-3-406 aiii --- Defraud innkeeper less than \$1000

Citation No. _____

Advised of charges and penalty _____ Advised of constitutional rights _____

Attorney: Waived _____ Retained _____ Appointed _____ Name: _____

Plea: GUILTY _____ Finding: GUILTY _____

NOT GUILTY _____ NOT GUILTY _____

NO CONTEST _____ DISMISSED 742 AGO

Bond set at \$ _____

Conditions of the bond: _____

The above case has been set for:

Preliminary Hearing _____ day of _____, 20____, at _____ A.M., P.M.

Pre-Trial Conference _____ day of _____, 20____, at _____ A.M., P.M.

Jury Trial _____ day of _____, 20____, at _____ A.M., P.M.

Trial to Court _____ day of _____, 20____, at _____ A.M., P.M.

_____ day of _____, 20____, at _____ A.M., P.M.

SENTENCE

Fine \$ _____ Public Def Fees \$ UNPAID TO PD

Costs \$ _____ Amount Suspended \$ _____

Victim Surcharge \$ _____ TOTAL \$ _____

Jail Time _____ Time Suspended _____

Probation _____ Unsupervised / Supervised _____

Restitution \$ NO and taking care

Stay of Execution to _____ day of _____, 20____.

Conditions of suspension of fine / jail _____

DONE this 6 day of February, 20 17.

[Signature]
COUNTY ATTORNEY

[Signature]
JUDGE

[Signature]
DEFENSE ATTORNEY

[Signature]
DEFENDANT

PARENTAL SIGNATURE

STATE OF WYOMING,
PLAINTIFF,

vs.

RICHARD MCCLOSKEY,
DEFENDANT.

FILED

FEB 02 2017

CIRCUIT COURT OF FIFTH JUDICIAL DISTRICT
PARK COUNTY, WYOMING
Peggy L. Farman, Clerk
By ASHLEY RIES Deputy


REQUEST FOR CHANGE OF PLEA AND SENTENCING HEARING

COMES NOW Nick Beduhn, court appointed counsel for the above-named individual and requests the Court set this matter for a Change of Plea and Sentencing Hearing in and for the following reasons:

1. The parties have reached a Plea Agreement for presentation to the Court.

WHEREFORE IT IS RESPECTFULLY REQUESTED that the Circuit Court set a Change of Plea and Sentencing Hearing in this matter.

DATED this 2nd day of February, 2017.


Nick Beduhn
W.S.B. #6-3763
Senior Assistant Public Defender
P.O. Box 880
Cody, WY 82414
307.587.2285

CERTIFICATE OF SERVICE

I, the undersigned, do hereby certify that I served a copy of the foregoing Request for Change of Plea and Sentencing Hearing, by hand-delivering a copy thereof addressed to Tim Blatt, Deputy Park County and Prosecuting Attorney, 1002 Sheridan Ave, Cody, WY 82414, this 2nd day of February, 2017.


Nick Beduhn

1.02
20
200
2040
2040

~~57225~~
2108 X 2
5011 X 3
5852 X 2
2610 X 1
5438 X 1
5409 X 1

-VS-

RICHARD J. MCCLOSKEY

Defendant.

BOND CONDITIONS

Bond Amount \$ 1000 Cash \$ Acceptable Bail Bond \$ Property \$

You must comply with all conditions checked:

1. Do not violate any local, state or federal law.
2. Keep in contact with your attorney.
3. Immediately notify the Circuit Court Clerk at:

☐ Cody • 307-527-8590

☒ Powell • 307-754-8890

(If represented by counsel, keeping your attorney notified of your address and phone number complies with this requirement.)
4. Appear for all court appearances.
5. Do not leave ☐ Park County ☐ State of Wyoming without permission from the Judge.
6. Do not drink or possess alcoholic beverages or any illegal controlled substances, or be in places whose primary source of income is derived from alcohol sales.
7. Submit to random testing of your blood, breath and/or urine for the presence of alcohol or illegal controlled substances by law enforcement officers or your probation officer if on probation.
8. Report in person to the Park County Sheriff's Office or the _____ Police Department at least _____ between the hours of _____ .M. and _____ .M.
9. Do not have any contact with SUPER 8 AUTO-RENTALS.
10. Do not bother or harass any witness to this matter.
11. Other _____
12. Reappear before this Court on FEB 13 2017 at the hour of 1200 .M. at the

☒ Cody
 ☐ Powell courtroom for:

- ☐ Bench Trial
☐ Preliminary Hearing
☐ Sentencing

☐ Jury Trial
☒ Pretrial Conference
☐ Revocation Hearing

STATE OF WYOMING,

DOCKET NO. CR-2016-165 POW

Plaintiff,

-vs-

ARRAIGNMENT & SENTENCING ORDER

RICHARD J. MCCLOSKEY

Defendant.

Charge 6-3-406 aiii --- Defraud Innkeeper less than \$1000

Citation No. _____

Advised of charges and penalty _____ Advised of constitutional rights _____

Attorney: Waived _____ Retained _____ Appointed _____ Name: Richard J. McCloskey

Plea: GUILTY _____ Finding: GUILTY _____

NOT GUILTY _____ NOT GUILTY _____

NO CONTEST _____ DISMISSED _____

Bond set at \$ 1000

Conditions of the bond: 5% cash

The above case has been set for:

Preliminary Hearing _____ day of _____, 20____, at _____ A.M., P.M.

Pre-Trial Conference 13 day of February, 2017, at 11:00 A.M., P.M.

Jury Trial 2 day of March, 2017, at 8:30 A.M., P.M.

Trial to Court _____ day of _____, 20____, at _____ A.M., P.M.

_____ day of _____, 20____, at _____ A.M., P.M.

SENTENCE

Fine \$ _____ Public Def Fees \$ _____

Costs \$ _____ Amount Suspended \$ _____

Victim Surcharge \$ _____ TOTAL \$ _____

Jail Time _____ Time Suspended _____

Probation _____ Unsupervised / Supervised _____

Restitution \$ _____

Stay of Execution to _____ day of _____, 20____.

Conditions of suspension of fine / jail _____

DONE this 21 day of October, 2016.

COUNTY ATTORNEY

JUDGE

DEFENSE ATTORNEY

DEFENDANT

PARENTAL SIGNATURE

STATE OF WYOMING,

OCT 11 2016

DOCKET NO. _____

Plaintiff,

CIRCUIT COURT OF FIFTH JUDICIAL DISTRICT
PARK COUNTY, WYOMING
Henry L. Farmer, Clerk
By **JOCELYN BLAKESLEE** Deputy

-vs-

ARRAIGNMENT & SENTENCING ORDER

Defendant.

Charge 35-7-1031 C.R.C. Poss of CUNT SWP Citation No. 64825J

Advised of charges and penalty ☒ Advised of constitutional rights ☒

Attorney: Waived ☐ Retained ☐ Appointed ☒ Name: pdet

Plea: GUILTY ☐ Finding: GUILTY ☐

NOT GUILTY ☒ NOT GUILTY ☐

NO CONTEST ☐ DISMISSED ☐

Bond set at \$ 20000.00

Conditions of the bond: SSS (11/17)

The above case has been set for:

Preliminary Hearing _____ day of _____, 20____, at _____ A.M., P.M.

Pre-Trial Conference 30 day of JANUARY, 20 17, at 10:15 A.M., P.M.

Jury Trial 16 day of FEBRUARY, 20 17, at 8:30 A.M., P.M.

Trial to Court _____ day of _____, 20____, at _____ A.M., P.M.

_____ day of _____, 20____, at _____ A.M., P.M.

SENTENCE

Fine \$ _____ Public Def Fees \$ _____

Costs \$ _____ Amount Suspended \$ _____

Victim Surcharge \$ _____ TOTAL \$ _____

Jail Time _____ Time Suspended _____

Probation _____ Unsupervised / Supervised _____

Restitution \$ _____

Stay of Execution to _____ day of _____, 20____.

Conditions of suspension of fine / jail _____

DONE this 10 day of OCTOBER, 20 16.

COUNTY ATTORNEY

JUDGE

DEFENSE ATTORNEY

DEFENDANT

PARENTAL SIGNATURE

-VS-

Plaintiff,

Defendant.

FILED

OCT 11 2016

CIRCUIT COURT OF FIFTH JUDICIAL DISTRICT
PARK COUNTY, WYOMING
Peggy L. Farman, Clerk

By JOCELYN BLAKESLEY Deputy

BOND CONDITIONS

Bond Amount \$ 2000 Cash \$ ☒ Acceptable Bail Bond \$ _____ Property \$ _____

You must comply with all conditions checked:

- ☒ 1. Do not violate any local, state or federal law.
- ☒ 2. Keep in contact with your attorney.
- ☒ 3. Immediately notify the Circuit Court Clerk at:
of any change of address or phone number.
(If represented by counsel, keeping your attorney notified of
your address and phone number complies with this requirement.)
☒ Cody • 307-527-8590
☒ Powell • 307-754-8890
- ☒ 4. Appear for all court appearances.
- ☐ 5. Do not leave ☐ Park County ☐ State of Wyoming without permission from the Judge.
- ☒ 6. Do not drink or possess alcoholic beverages or any illegal controlled substances, or be in places whose primary source of income is derived from alcohol sales.
- ☒ 7. Submit to random testing of your blood, breath and/or urine for the presence of alcohol or illegal controlled substances by law enforcement officers or your probation officer if on probation.
- ☐ 8. Report in person to the Park County Sheriff's Office or the _____ Police Department at least _____ between the hours of _____ .M. and _____ .M.
- ☐ 9. Do not have any contact with _____.
- ☒ 10. Do not bother or harass any witness to this matter.
- ☐ 11. Other _____
- ☒ 12. Reappear before this Court on JANUARY 30 2017 at the hour of 10:15 A .M. at the
☐ Cody ☐ Powell courtroom for:

- | | |
|--|--|
| <input type="checkbox"/> Bench Trial | <input type="checkbox"/> Jury Trial |
| <input type="checkbox"/> Preliminary Hearing | <input type="checkbox"/> Pretrial Conference |

Enclosure # _____ Pg. _____ of _____
Case# _____
Officer _____

STATE OF WYOMING,

OCT 11 2016

DOCKET NO. CJ-2016-98-PDW

Plaintiff,

CIRCUIT COURT OF FIFTH JUDICIAL DISTRICT
PARK COUNTY, WYOMING
JOCELYN BLAKESLEY
By Richard J. McCloskey
Defendant.

-vs-

ARRAIGNMENT & SENTENCING ORDER

Charge I 6-3-30361 CRIMINAL TRESPASS Citation No. _____

Advised of charges and penalty _____ Advised of constitutional rights _____

Attorney: Waived _____ Retained _____ Appointed PIISF Name: _____

Plea: GUILTY _____ Finding: GUILTY _____

NOT GUILTY _____ NOT GUILTY _____

NO CONTEST _____ DISMISSED _____

Bond set at \$ 2500 CASH

Conditions of the bond: 515 HALL

The above case has been set for:

Preliminary Hearing _____ day of _____, 20____, at _____ A.M., P.M.

Pre-Trial Conference 30 day of JANUARY, 20 17, at 10:15 A.M., P.M.

Jury Trial 16 day of FEBRUARY, 20 17, at 8:30 A.M., P.M.

Trial to Court _____ day of _____, 20____, at _____ A.M., P.M.

_____ day of _____, 20____, at _____ A.M., P.M.

SENTENCE

Fine \$ _____ Public Def Fees \$ _____

Costs \$ _____ Amount Suspended \$ _____

Victim Surcharge \$ _____ TOTAL \$ _____

Jail Time _____ Time Suspended _____

Probation _____ Unsupervised / Supervised _____

Restitution \$ _____

Stay of Execution to _____ day of _____, 20____.

Conditions of suspension of fine / jail _____

DONE this 10 day of october, 20 16.

COUNTY ATTORNEY

JUDGE

DEFENSE ATTORNEY

Enclosure # _____ Pg. _____ of _____
Case# _____
Officer _____

DEFENDANT

PARENTAL SIGNATURE

-VS-

Richard McCloskey

Defendant.

FILED

OCT 11 2016

CIRCUIT COURT OF FIFTH JUDICIAL DISTRICT
PARK COUNTY, WYOMING
Peggy L. Ferman, Clerk
JOCELYN BLAKESLEY Deputy**BOND CONDITIONS**Bond Amount \$ 2500 Cash \$ ✓ Acceptable Bail Bond \$ _____ Property \$ _____

You must comply with all conditions checked:

- ✓ 1. Do not violate any local, state or federal law.
- ✓ 2. Keep in contact with your attorney.
- ✓ 3. Immediately notify the Circuit Court Clerk at:
of any change of address or phone number.
(If represented by counsel, keeping your attorney notified of
your address and phone number complies with this requirement.)
- ☐ Cody • 307-527-8590
☒ Powell • 307-754-8890
- ✓ 4. Appear for all court appearances.
- ✓ 5. Do not leave ☐ Park County ☐ State of Wyoming without permission from the Judge.
- ✓ 6. Do not drink or possess alcoholic beverages or any illegal controlled substances, or be in places whose primary source of income is derived from alcohol sales.
- ✓ 7. Submit to random testing of your blood, breath and/or urine for the presence of alcohol or illegal controlled substances by law enforcement officers or your probation officer if on probation.
- ✓ 8. Report in person to the Park County Sheriff's Office or the _____ Police Department at least _____ between the hours of _____ .M. and _____ .M.
- ✓ 9. Do not have any contact with _____.
- ✓ 10. Do not bother or harass any witness to this matter.
- ✓ 11. Other comply w/ bond cond as previously
8870661541
- ✓ 12. Reappear before this Court on JAN 10/3 3/1 2017 at the hour of 10:15 A .M. at the
☒ Cody ☒ Powell courtroom for:

☐ Bench Trial☐ Preliminary Hearing☐ Jury Trial☐ Pretrial Conference

Enclosure # _____ Pg. _____ of _____

Case# _____

Officer _____

STATE OF WYOMING,

OCT 11 2016

DOCKET NO. C15-2016-13704

Plaintiff, CIRCUIT COURT OF FIFTH JUDICIAL DISTRICT
PARK COUNTY, WYOMING

-VS-

By JOCELYN BLAKESLEY Deputy Clerk

ARRAIGNMENT & SENTENCING ORDER

Defendant.

Charge I-III - unlawful use of credit card 6-3802 a/b Citation No. _____

Advised of charges and penalty _____ Advised of constitutional rights _____

Attorney: Waived _____ Retained _____ Appointed _____ Name: P d F

Plea: GUILTY _____ Finding: GUILTY _____

NOT GUILTY ✓ _____ NOT GUILTY _____

NO CONTEST _____ DISMISSED _____

Bond set at \$ 20000 cash

Conditions of the bond: 515 cash

The above case has been set for:

Preliminary Hearing _____ day of _____, 20____, at _____ A.M., P.M.

Pre-Trial Conference 30 day of JANUARY, 20 17, at 10:15 A.M., P.M.

Jury Trial 10 day of FEBRUARY, 20 17, at 8:30 A.M., P.M.

Trial to Court _____ day of _____, 20____, at _____ A.M., P.M.

_____ day of _____, 20____, at _____ A.M., P.M.

SENTENCE

Fine \$ _____ Public Def Fees \$ _____

Costs \$ _____ Amount Suspended \$ _____

Victim Surcharge \$ _____ TOTAL \$ _____

Jail Time _____ Time Suspended _____

Probation _____ Unsupervised / Supervised _____

Restitution \$ _____

Stay of Execution to _____ day of _____, 20____.

Conditions of suspension of fine / jail _____

DONE this 10 day of OCTOBER, 20 16.

COUNTY ATTORNEY

JUDGE

DEFENSE ATTORNEY

DEFENDANT

PARENTAL SIGNATURE

-VS-

Plaintiff,

R. David McCloskey

Defendant.

FILED

OCT 11 2016

CIRCUIT COURT OF FIFTH JUDICIAL DISTRICT
PARK COUNTY, WYOMING
Peggy L. Farman, ClerkBy JOCELYN BLAKESLEY Deputy**BOND CONDITIONS**Bond Amount \$ 2000 Cash \$ ✓ Acceptable Bail Bond \$ _____ Property \$ _____

You must comply with all conditions checked:

- ✓ 1. Do not violate any local, state or federal law.
- ✓ 2. Keep in contact with your attorney.
- ✓ 3. Immediately notify the Circuit Court Clerk at:
of any change of address or phone number.
(If represented by counsel, keeping your attorney notified of
your address and phone number complies with this requirement.)
- ☐ Cody • 307-527-8590
☒ Powell • 307-754-8890
- ✓ 4. Appear for all court appearances.
- ✓ 5. Do not leave ☐ Park County ☒ State of Wyoming without permission from the Judge.
6. Do not drink or possess alcoholic beverages or any illegal controlled substances, or be in places whose primary source of income is derived from alcohol sales.
7. Submit to random testing of your blood, breath and/or urine for the presence of alcohol or illegal controlled substances by law enforcement officers or your probation officer if on probation.
8. Report in person to the Park County Sheriff's Office or the _____ Police Department at least _____ between the hours of _____ .M. and _____ .M.
- ✓ 9. Do not have any contact with ANY PERSON LISTED IN THE PROSECUTION
PROBATION CASE NO. 62 AT 03 47 PM THE PROSECUTOR AT 2128 W. 1000
- ✓ 10. Do not bother or harass any witness to this matter. (cody)
- ✓ 11. Other _____
- ✓ 12. Reappear before this Court on JANUARY 30 2017 at the hour of 10:00 .M. at the
☒ Cody ☐ Powell courtroom for:

☐ Bench Trial
☐ Preliminary Hearing

☐ Jury Trial
☒ Pretrial Conference

Enclosure # _____ Pg. _____ of _____
Case# _____
Officer _____

vs.

OCT 12 2016

RICHARD JOSEPH McCLOSKEY,
Defendant.

CIRCUIT COURT OF FIFTH JUDICIAL DISTRICT
PARK COUNTY, WYOMING
Peggy L. Farmer, Clerk
By **JOCELYN BLAKESLEY** Deputy

FELONY INFORMATION

COMES NOW the State of Wyoming, by and through, Bryan A. Skoric, Park County and Prosecuting Attorney, and hereby informs the Court and gives the Court to understand that the above-named Defendant:

Count I: On or between August 26, 2016 and September 9, 2016, in Park County, Wyoming, did unlawfully use a credit card with the intent to obtain property or services by fraud, to wit, used a credit card, or the number or description of a credit card, issued to another person without the consent of that person, and the value of the property or services obtained in violation of this section within a sixty day period in the state of Wyoming totals one thousand dollars (\$1,000.00) or more, in violation of Wyoming Statute § 6-3-802(a)(i)(b)(iii), a felony, punishable by imprisonment for not more than ten (10) years, a fine of not more than ten thousand dollars (\$10,000.00), or both, contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Wyoming.

Count II: On or about August 26, 2016, in Park County, Wyoming, with intent to defraud, did make, complete, execute, authenticate, issue or transfer a writing so that it purports to be the act of another who did not authorized that act, to wit: signed Keith Grant's name to a transaction receipt for QT's Restaurant for twelve dollars and thirty-eight cents (\$12.38), in violation of Wyoming Statute § 6-3-602(a)(ii)(b), punishable by imprisonment for not more than ten (10) years, a fine of not more than ten thousand dollars (\$10,000.00), or both, contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Wyoming.

Count III: On or about August 26, 2016, in Park County, Wyoming, with intent to defraud, did make, complete, execute, authenticate, issue or transfer a writing so that it purports to be the act of another who did not authorized that act, to wit: signed Keith Grant's name to a transaction receipt for QT's Restaurant for ninety-four dollars and twenty-five cents (\$94.25), in violation of Wyoming Statute § 6-3-602(a)(ii)(b), punishable by

7586
12.38
94.25
58.43
98.78
60.26
40.50
190.25
43.67
5.08
102.95
58.05
~~97.62~~

902.22

**IN THE CIRCUIT COURT, FIFTH JUDICIAL DISTRICT
PARK COUNTY, WYOMING (POWELL)**

STATE OF WYOMING

Plaintiff,

vs.

RICHARD J. MCCLOSKEY,

Defendant.

Criminal Docket No.

AFFIDAVIT OF PROBABLE CAUSE

**THE UNDERSIGNED, BEING FIRST DULY SWORN UPON OATH,
DEPOSES AND STATES:**

1. I, Cody Bradley, am employed by the Powell Police Department as a Police Officer.

2. On October 06, 2016, I was dispatched to the Super 8 Motel, Powell, Park County, Wyoming for a person who left without paying.

3. I spoke with Rebecca Iverson at the Super 8 Motel and she told me that Richard McCloskey left without paying for his room. Mr. McCloskey checked in on October 04, 2016, with a departure date of October 05, 2016. Iverson stated that McCloskey was paying with cash and the credit card he gave them came back denied. Iverson said that on October 06, 2016, she left a note on McCloskey's door, room 216, at approximately 2:50 p.m. saying that he needed to settle today's balance. At approximately 5:30 p.m. another guest saw McCloskey and Colleen Maddox leave the hotel in a pewter colored Cadillac CTS. Officer Hite and I went to the room to make sure that McCloskey had indeed checked out and the room was a mess, but all personal items were gone. Iverson gave me copies of the registration and the note that she left for McCloskey.

McCloskey owes the Super 8 Motel Eighty-one Dollars and Sixty-four Cents (\$81.64).

STATE OF WYOMING,

Plaintiff,

vs.

RICHARD J. MCCLOSKEY,

Defendant.

Criminal Docket No. CR-2016-159 POW

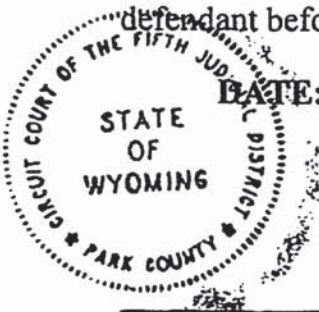
WARRANT


TO ANY SHERIFF IN THE STATE OF WYOMING, GREETINGS:

WHEREAS, Affidavit having been made before me, on oath, that the above-named Defendant, on or about October 03, 2016, in Park County, Wyoming, did without authority enter or remain in a building with intent to commit theft or a felony therein, in violation of Wyoming Statute §6-3-301(a)(b), a felony punishable by imprisonment for not more than ten (10) years, a fine of not more than \$10,000.00, or both.

NOW, THEREFORE, in the name of the State of Wyoming, you are hereby commanded forthwith to apprehend and arrest the above-named Defendant and bring the defendant before the Court to be dealt with according to law.

DATE: October 18 2016.




 Honorable Bruce B. Waters
 Circuit Court Judge

DOB:	03/19/1988
SSN:	358-84-1762
LKA:	Park County Detention Center

RETURN

STATE OF WYOMING

COUNTY OF PARK

} ss

I hereby certify that I received the above Warrant, together with a copy of the Information filed in the above matter, and that I served the same in Park County on _____, by delivering copies of both to _____.

SHERIFF

Plaintiff,

vs.

RICHARD JOSEPH McCLOSKEY,

Defendant.

COPY

WARRANT

TO ANY SHERIFF IN THE STATE OF WYOMING, GREETING:

WHEREAS, the State of Wyoming has filed herein a Motion for Warrant, wherein the State requests that a Warrant issue for the arrest of the Defendant on the underlying charges herein, and the Court having reviewed the same and finding good cause to issue the same;

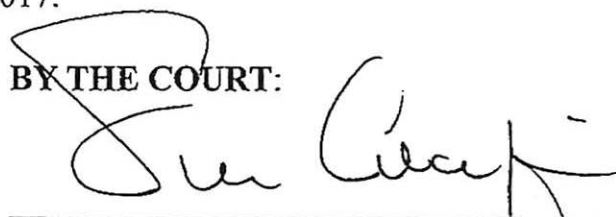
Count I: Unlawful use of a credit card with the intent to obtain property or services by fraud, to wit; used a credit card, or the number or description of a credit card, issued to another person without the consent of that person, and the value of the property or services obtained in violation of this section within a sixty day period in the state of Wyoming totals One Thousand Dollars (\$1,000.00) or more, in violation of Wyoming Statute §6-3-802(a)(i)(b)(iii), a felony;

Count II: With intent to defraud, did make, complete, execute, authenticate, issue or transfer a writing so that it purports to be the act of another who did not authorize that act, to wit: signed Keith Grant's name to a transaction receipt for QT's Restaurant for Twelve Dollars and Thirty-Eight cents (\$12.38), in violation of Wyoming Statute §6-3-602(a)(ii)(b), a felony.

YOU ARE, THEREFORE, HEREBY COMMANDED forthwith to arrest the above-named Defendant and bring the Defendant before the Court for further proceedings.

DATED February 10th, 2017.

BY THE COURT:



HONORABLE STEVEN CRANFILL
District Court Judge

SSN:	358-84-1762
LKA:	Case 1:17-cv-00045-SWS Unknown

RETURN

STATE OF WYOMING

COUNTY OF PARK

I hereby certify that I received the above Warrant filed in the above matter, that I served the same in Park County on 2-14-17 by delivering copies of both to

Richard McCloskey
PCSO Detention

at

SHERIFF

BY:

DEPUTY

Officer Pellegrini

[Signature]